

Serial No. 09/980,466
Response Dated November 10, 2010
Reply to Office Action of May 10, 2010

REMARKS

The Examiner submitted an Office Action dated May 10, 2010 to the Applicant. In the Office Action, Claims 17-33 and 37-40 were allowed by the Examiner. The Applicant hereby cancels remaining Claims 1-16, 34-36, 41-111 without prejudice for a possible continuation application. Therefore, the Applicant submits that based upon the amendments and remarks, Claims 17-33 and 37-40 are in condition for allowance.

THREE MONTH EXTENSION OF TIME

Applicant requests a three month extension of time for filing a response to the Office Action. The required fee for the extension of time is submitted herewith. If an additional month of extension is required, the Director is authorized to charge any additional fees incurred as a result of the filing hereof or credit any overpayment to our Deposit Account Number 02-0900.

ELECTION/RESTRICTIONS

Applicant has cancelled Claims 1-16, 34-36, and 41-111 without prejudice rendering the traversal of the election/restriction moot at this time but the Applicant reserves the opportunity to dispute and/or appeal this election/restriction in a subsequent continuation application or any other proceeding.

CLAIM OBJECTIONS

Claims 58, 72, and 92 are hereby cancelled without prejudice rendering this claim objection moot. However, the Applicant reserves the opportunity to dispute and/or appeal this claim objection in a subsequent continuation application or any other proceeding.

CLAIM REJECTIONS – 35 USC §102(b)

Claims 50-58, 67-72, 88, 89, 92 are rejected under 35 U.S.C. §102(b) as being anticipated by Niemoller et al. (DE 19628341A1).

Claims 50-58, 67-72, 88, 89, 92 are hereby cancelled without prejudice rendering this claim rejection moot. However, the Applicant reserves the opportunity to dispute and/or appeal this claim rejection in a subsequent continuation application or any other proceeding.

Claims 50-51, 67, 88, and 89 are rejected under 35 U.S.C. §102(b) as being anticipated by Warner (U.S. Pat. No. 5,747,148).

Claims 50-51, 67, 88, and 89 are hereby cancelled without prejudice rendering this claim rejection moot. However, the Applicant reserves the opportunity to dispute and/or appeal this claim rejection in a subsequent continuation application or any other proceeding.

ALLOWED CLAIMS 17-33 and 37-40

The Applicant duly notes that the Examiner has allowed Claims 17-33 and 37-40. All of the remaining claims 1-16, 34-36, 41-111 are cancelled without prejudice for filing in a subsequent continuation application.

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CONCLUSION

Accordingly, based upon the Remarks above, Applicant hereby submits that Claims 17-33 and 37-40 are now in condition for allowance.

Corresponding action is respectfully solicited.

The Director is authorized to charge any additional fees incurred as a result of the filing hereof or credit any overpayment to our Deposit Account Number 02-0900.

Respectfully submitted,

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